

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Region 5**

**COSTAL INTERNATIONAL SECURITY, INC.
Employer**

and

**INTERNATIONAL UNION, SECURITY, POLICE
AND FIRE PROFESSIONALS OF AMERICA
(SPFPA)
Petitioner**

and

**UNITED SECURITY & POLICE OFFICERS
OF AMERICA (USPOA)
Intervenor**

Case 5-RC-107719

**INTERVENOR’S EXCEPTIONS TO THE
REGIONAL DIRECTOR’S REPORT ON OBJECTIONS**

USPOA, (“Intervenor”) through its counsel and pursuant to Section 102.69(a) of the Board’s Rules and Regulations, files the following as its exceptions to the Regional Director’s Report on Objections.

Filed electronically with:
Executive Secretary
National Labor Relations Board
1099 14th Street, NW
Washington, DC 20570-0001

I. Report on Objections

The Regional Director recommended that the Intervenor’s objections be overruled in their entirety and that appropriate Certification of Representative issue because the Intervenor

did not submit evidence supporting the objections by August 26, 2013 or within seven (7) days of filing the objections.

II. Exception #1

Section 102.69(a) of the Board's Rules and Regulations affords the Regional Director the discretion to allow additional time to submit evidence in support of objections. On the same date as this filing, the Intervenor filed a formal petition to extend the time to submit evidence and attached evidence available to the Intervenor as an exhibit thereto. Granting the Intervenor's request, without prejudice to the other parties, will change the posture of the matter such that the Regional Director may be willing to issue a supplemental report based on an investigation.

III. Exception #2

Section 102.69(a) of the Board's Rules and Regulations requires that the Intervenor furnish the Regional Director with the evidence *available to it*. (emphasis added). The Intervenor has not been able to obtain much of the evidence supporting the objections before the deadline of August 26, 2013. The Intervenor has attached herewith the evidence available to it at this time.

IV. Exception #3

Although Board precedent recognizes the necessity of supporting objections with evidence in a timely manner, the Rules and Regulations do not, upon a plain reading, preclude an investigation or hearing when supporting evidence is not provided. Nothing in Section 102.69 suggests that the Regional Director is precluded from investigating or initiating hearing procedures when evidence is not available. Instead, it is the filing of objections alone which triggers the investigation. See Section 102.69(c) ("If timely objections are filed to ... conduct

affecting the results of the election... the Regional Director shall ... initiate an investigation, as required, of such objections”).

V. Exception #4

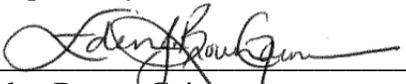
The Intervenor did provide some of the evidence the Regional Director, in his report, contends to be lacking. The Regional Director indicated that the Intervenor failed to “provide... the names of potential witnesses.” However, the objections provide such information. The Intervenor identified Lonnise Davis as a witness in support of Objection 2. The Intervenor identified Sheila Boyd as a witness in support of Objection 3. The Intervenor identified Officers Christopher Myers, Timidayo, Don Nicholson and Seth Campbell in support of Objection 4. Although Objection 4 may equally be the basis of a ULP, the identity of these individuals is relevant and supportive of Objection 4 and others. Accordingly, to recommend overruling of the objections because the Intervenor presented no evidence is not fully accurate.

VI. Exception #5

The evidence included herewith (and also provided to the Regional Director in conjunction with a request for additional time) supports the objections by demonstrating the Petitioner’s dissemination of false and slanderous information against the Intervenor and conduct on behalf of the Petitioner and Employer on the date of the election. Exhibit A.

Respectfully submitted:

September 13, 2013


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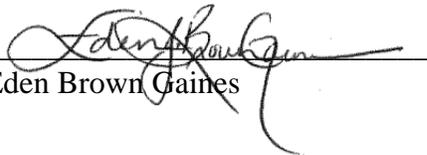
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Request for Additional Time was served via facsimile this 13th day of September, 2013 on the following:

Wayne R. Gold
Regional Director
NLRB Region 5
Bank of America Center, Tower II
100 S. Charles St., Suite 600
Baltimore, MD21201
410-962-2198

Sean Engelin
Costal International Security
6101 Fallard Drive
Upper Marlboro, MD 20772
866-363-8469

Gordon A. Gregory, Esq.
on behalf of SPFPA
65 Cadillac Square
Detroit, MI 48226
313-964-2125


Eden Brown Gaines

Fellow Coastal Members,

Attach is the information request letter sent to Assane Faye, which demands an explanation to financial reports and dues expenditures. The response from the union which was not sent to me was not only misleading but threatening. We have a right to the information and thus that money spent should have been approved by us.

This union has done nothing for us, to include failure to prevent terminations of numerous employees/our coworker and friends to failing to bargain pay raises for this site. If you haven't notice we are one of the lowest paid sites in the DC District Area.

Don't let this union continue to make excuses, lie, and take union dues without us gaining anything. After 3 years and expired CBA why would you vote to follow this union.

SPFPA has the highest paid CBA with Coastal at the Ronald Reagan Building AT \$27.40 base pay and they have their Health & Welfare in CASH at \$3.85, this is our driveway to getting what we want and deserve.

Vote SPFPA A REAL UNION FOR THE OFFICERS

Local president Ronnie Hogue is available to answer question and is inviting us to a meet & greet please call 240-432-6517 for information

Fraternally

Earl Wallace

July 2, 2013

By email and fax (732-736-1237)

Assane Faye, President
United Security and Police Officers of America
1101 Pennsylvania Avenue NW
Washington, DC 20004

Dear President Faye:

I am employed by Coastal International and a member of the USPOA. I write to request review of the USPOA's financial books, records and accounts, including any USPOA sponsored Taft-Hartley funds. I wish to review the books, records and accounts to determine whether the historic and current financial health of the USPOA as well as to determine whether inappropriate expenditures were made. Just cause exists for this request under Section 201(c) of the Labor-Management Reporting and Disclosure Act (LMRDA) for the following reasons:

- The USPOA LM-2 Report for 2011 shows that the USPOA spent more than \$91,000 more than it received in 2011, leaving the USPOA in the perilous position of having only \$15,000 in assets at the end of that year;
- The same report shows that you alone as National President you received total disbursements that year in the amount of \$162,426, which represents 50% of the income received by the USPOA in 2011;
- Although due months ago, the DOL's records establish that the USPOA has not filed its LM-2 Report for 2012, effectively hiding from the membership the USPOA's financial report for that year. Based on the 2011 history, I am concerned about the continued spending/income levels in 2012 as well as currently in 2013. I am also concerned about the enormous percentage of USPOA assets that are paid to you personally and wish to determine those amounts in 2012 and currently in 2013;
- Upon information and belief, I understand that the USPOA has expended substantial funds for attorney fees to represent you personally in a lawsuit against you concerning a period of time during which you worked for the SPFPA and not the USPOA;
- Upon information and belief, I further understand that the USPOA has expended substantial funds for attorney fees to represent other individuals in lawsuits against them concerning a period of time during which they were not members of the USPOA;
- I understand that the U.S. Department of Labor and/or other governmental bodies may have determined that the so-called USPOA 401k Plan is not compliant with required rules and regulations and that employer may not contribute funds to the Plan.

Additionally, I understand that in the past the USPOA may accepted into its own accounts payments from at least one employer that was intended for deposit into a 401k trust account. In addition, I wish to determine whether any penalties or fines were paid as a result of the handling of the 401k and the attorney fees and other professional fees that were required as a result.

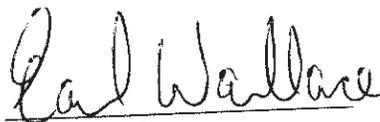
- Considering that substantially more funds were spent in 2011 than received by the USPOA, I wish to determine whether the USPOA has satisfied its liabilities, including whether payments to vendors and others were made timely and what remains outstanding today.

Each of the above reason stands independently as establishing just cause for my inspection of the books, records and accounts of the USPOA. I am prepared to review the books, records and accounts at the USPOA office at 1101 Pennsylvania Avenue NW, Suite 6, Washington D.C. I may bring additional USPOA members with me to the review. I intend to take notes of my review and ask that I be permitted access to the USPOA photocopier to make copies of documents that I determine appropriate.

I propose that I review them on or before July 8th. Please confirm this date with me immediately, or offer other available dates within the immediate future. If I do not receive confirmation or other appropriate response by July 15th, I intend to exercise my rights under Section 201(c) and seek an appropriate Order in U.S. District Court.

Please provide your confirmation of my requested date or otherwise contact me at my e-mail address molly93@yahoo.com

Thank you for your anticipated cooperation.



Earl A Wallace



On July 24th, 2013 I OFC. Davis reported back to work from my vacation. When I stepped into the dispatch office Captain Wallace asked me for my CPR, 1st AID credentials I stated to Capt. Wallace that ~~that~~ I didn't have them on me I wouldn't have them until Friday beuz thatz when the cards would be ready. Capt. Wallace than stated to me lets go next door which is the P.M. Office He stated to the P.M. that I didn't have my CPR & 1st AID CARDS And that I would have them on Friday. Mr Simms (PM) stated to me OFC. Davis that I Couldn't work and that He was suspending me for 3 days. I OFC. Davis LEFT the PMS OFFICE And went home. I never recieved any paperwork regarding a suspension or anything.

OFC. L. Davis.

Eden Brown Gaines

Subject: FW: Fwd: on july wednesday 24 2013

From: michelle v hudson <mhudson818@yahoo.com>;
To: John Jackson (jsmooth929@yahoo.com) <jsmooth929@yahoo.com>;
Subject: Fwd: on july wednesday 24 2013
Sent: Thu, Sep 12, 2013 11:13:51 PM

----- Original Message -----

Subject: on july wednesday 24 2013
From: Michelle Hudson <mhudson818@yahoo.com>
To: AssaneBa@aol.com
CC:

On Wednesday July 24 2013. I OFC Hudson working in the national aquarium around 13:00 hours when a gentleman came down toward me and ask me did everyone get to vote . I OFC Hudson ask him who are u he said I am the union rep from Ronald Regan Building. That's when I call the office to let LT Johnson know that we have a guy from the other union working around asking question about who they vote for That's when LT Johnson got on the radio call for CPT to come to dispatch was busy doing something. So LT Johnson call Major Knight about the gentleman. So Major Knight came out to see what was going on. That's when Major Knight track down the gentleman and ask him what u doing here and the gentleman said I am working with the young lady from labor board. That's when I OFC Hudson ask LT Johnson what happen with that guy she said that guy told Major Knight my that he working with the labor board. I said he can't be in the building wild the voting going on. So LT Johnson call Major Knight to come and see me. That's when me OFC Hudson and Major Knight walk back over to see the guy. That's when I OFC Hudson ask the young lady from the lobar board is a guy working with you she said no. when Major Knight saw the guy ask him how did he get in the building he said that he went to the credit union. So Major Knight told him that u can't be walking around with out government I D badge. So Major Knight ask him for his ID his said don't have any so Major Knight ask him his name an his name Octavia Jones